IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

-

WRIT PETITION NO : 13053 of 2005

Between:

1 K. Sarath Babu S/o Late Rama Rao, Business,
R/o D. No. 10-12-33, Jenda Chettu Bazar, Chenchupet, Tenali.
2 Kakumanu Bhagyalaxmi W/o Yerram Setty Kesavanarayana,
R/o D. No. 10-12-33 Jenda Ghettu Bazar, Chenchupet, Tenali.
3 K. Suresh, R/o D. No. 10-12-33 Jenda Ghettu Bazar, Chenchupet, Tenali.
4 K. Vijayalakshmi W/o Gaddam Setty Sreenivas,
R/o D. No. 10-12-33 Jenda Ghettu Bazar, Chenchupet, Tenali.

..... PETITIONERS

AND

1 The Commissioner of Endowments, Government of Andhra Pradesh, Hyderabad.
2 The Deputy Commissioner of Endowments, Government of Andhra Pradesh, Hyderabad
3 The Regional Joint Commissioner of Endowments, Multizone, II, Tirupati.
4 The Assistant Commissioner of Endowments Government of Andhra Pradesh, Guntur.
5 The Principal Secretary, Endowments Department Secretariat Buildings, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ order or order more especially one in the nature of writ of Mandamus declaring the action of the respondents in not appointing the petitioners as founder Trustee of SRi Kakumanu Shankaruni Dharma Satram, Bose Road, Tenali, as illegal, arbitrary, capricious and contrary to law and consequentially direct the respondents not to appoint Trust Board Chairman to Kakumanu Shankaruni Dharama Satram, Bose Road, Tenali, Pending OA 5/03 on the file of Dy

commissioner Endowments, Guntur.

Counsel for the Petitioners: MR.RAVI SHANKAR JANDHYALA

Counsel for the Respondents:GP FOR ENDOWMENTS

The Court made the following:

ORAL ORDER:

The grievance of the petitioner in this Writ Petition is that despite an application being filed in O.A.No.5 of 2003 by the father of the 1st petitioner seeking determination as a founder-trustee of Kakumanu Shankaruni Dharma Satram at Tenali, the Deputy Commissioner of Endowments (2nd respondent) has not passed any orders thereon. On the death of late K.Rama Rao, his sons and daughters filed an application to implead them in CFR.No.4150 of 2005 as legal representatives of late K.Rama Rao.

2. Sri Mr.Ravi Shankar Jandhyala, learned counsel for the petitioners contends that despite such an application having been filed more than two years ago, the said application has not yet been disposed of. He apprehends that the respondents are likely to fill up shortly the post of Chairman of the subject Temple without disposing of their application and in such an event the petitioners would suffer irreparable injury.

3. Heard the learned Government Pleader for Endowments.

4. This Writ Petition is being disposed of with the consent of both the learned counsel for the petitioners and the learned Government Pleader appearing on behalf of respondents 1 to 5.

5. The learned Government Pleader, on instructions, states that no notification has been issued to constitute the Board of Trustees for Kakumanu Shankaruni Dharma Satram at Tenali and that even after notification is issued, the entire process of finalizing appointment of the Chairman and the Board of Trustees would take atleast one month and that no prejudice would be caused to the petitioners herein if their application is directed to be disposed of within a period of one month from today.

6. Recording the said statement of the learned Government Pleader, this Writ Petition is disposed of directing the 2nd respondent herein or any other Officer

holding charge of the Office of Deputy Commissioner of Endowments, Guntur, to consider and pass appropriate orders in OA.No.5 of 2003 within a period of one month from the date of receipt of a copy of this order. Mr.Ravi Shankar Jandhyala, learned counsel for the petitioners undertakes to communicate the copy of the order of this Court to the 2nd respondent within one week. There shall be no order as to costs.

22.06.2005

SSR

Issue order copy tomorrow.

(BO)

To

1 The Commissioner of Endowments, Government of Andhra Pradesh, Hyderabad.
2 The Deputy Commissioner of Endowments, Government of Andhra Pradesh, Hyderabad
3 The Regional Joint Commissioner of Endowments, Multizone, II, Tirupati.
4 The Assistant Commissioner of Endowments Government of Andhra Pradesh, Guntur.
5 The Principal Secretary, Endowments Department Secretariat Buildings, Hyderabad.

6 2 CCs to G.P. for Endowments, High Court of A.P. Hyderabad. (OUT)

7 2 CD copies

8 1 CC to MR.RAVI SHANKAR JANDHYALA

*Form-NIC-OGS/WP{**TRT**}*